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3 UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
4 AT SEATTLE

5 MAXILL INC.,

6 Plaintiff,

7 v.

8 LOOPS, LLC, et al.,

9 Defendants.

C17-1825 TSZ

MINUTE ORDER

10 LOOPS, LLC, et al.,

11 Plaintiffs,

12 v.

13 MAXILL INC., et al.,

14 Defendants.

15 The following Minute Order is made by direction of the Court, the Honorable  
Thomas S. Zilly, United States District Judge:

16	<b>JURY TRIAL DATE (5 days)</b>	January 27, 2020
17	Statement of asserted claims and preliminary infringement	September 12, 2018
18	contentions due	
19	Statement of preliminary non-infringement and invalidity	October 12, 2018
20	contentions due	
21	Deadline for joining additional parties	October 22, 2018
22	Parties to exchange preliminary proposed constructions of	November 1, 2018
23	disputed claim terms and provide list of proposed extrinsic	
	evidence	

1	Joint Claim Chart and Prehearing Statement due	January 15, 2019
2	Parties to disclose reports from expert witnesses, if any,	January 15, 2019
3	regarding <u>Markman</u> issues	
4	Parties to disclose rebuttal expert reports, if any, regarding	February 14, 2019
	<u>Markman</u> issues	
5	Deadline for completion of claim construction discovery and	March 6, 2019
6	for amending pleadings	
7	Opening claim construction briefs (24 pages per side) filed by	March 11, 2019
8	(and noted for the date that the responsive claim	
9	construction briefs are due)	
10	Responsive claim construction briefs (24 pages per side) filed	March 26, 2019
	by	
11	<u>Markman</u> hearing to be set by the Court if appropriate.	
12	Reports from expert witnesses under FRCP 26(a)(2) due	May 24, 2019
13	Rebuttal expert reports due	June 24, 2019
14	All discovery motions must be filed by	July 3, 2019
15	(and noted on the motion calendar no later than the third	
16	Friday thereafter)	
17	Discovery completed by	August 1, 2019
18	All dispositive motions must be filed by	October 3, 2019
19	(and noted on the motion calendar no later than the fourth	
20	Friday thereafter; <u>see</u> LCR 7(d))	
21	All motions <i>in limine</i> must be filed by	December 26, 2019
22	(and noted on the motion calendar for the Friday before the	
23	Pretrial Conference)	
	Agreed pretrial order due	January 10, 2020
	Trial briefs, proposed voir dire questions, proposed jury	January 10, 2020
	instructions, and trial exhibits due	
	Pretrial Conference	at 10:00 a.m. on January 17, 2020

These dates are set at the direction of the Court after reviewing the joint status report and discovery plan submitted by the parties. All other dates are specified in the Local Civil Rules. These are firm dates that can be changed only by order of the Court, not by agreement of counsel or the parties. The Court will alter these dates only upon good cause shown: failure to complete discovery within the time allowed is not recognized as good cause.

If the trial date assigned to this matter creates an irreconcilable conflict, counsel must notify Karen Dews at 206-370-8830, within 14 days of the date of this Minute Order and explain the exact nature of the conflict. A failure to do so will be deemed a waiver. Counsel must be prepared to begin trial on the date scheduled, but it should be understood that the trial may have to await the completion of other cases.

## Claim Construction (Markman) Hearing

If the Court sets a claim construction hearing, it will be set for a half-day (2.5 hours). If more or less time is required, the parties are instructed to inform Karen Dews at 206-370-8830.

PLEASE NOTE: The Court will not rule on dispositive motions that raise issues of claim construction prior to the Markman Hearing, unless special circumstances warrant and leave of Court is obtained in advance of filing.

## Exhibits

The original and one copy of any exhibits to be used at the Markman Hearing and/or trial are to be delivered to the Court at least five (5) days before the hearing and/or trial date. Each exhibit shall be clearly marked. Exhibit tags are available in the Clerk's

1 Office. Plaintiff's exhibits shall be numbered consecutively beginning with 1.  
2 Defendant's exhibits shall be numbered consecutively beginning with the next multiple  
3 of 100 after plaintiff's last exhibit. For example, if plaintiff's last exhibit is numbered  
4 159, then defendant's exhibits shall begin with the number 200. Duplicate documents  
5 shall not be listed twice: once a party has identified an exhibit in the pretrial order, any  
6 party may use it. Each set of exhibits shall be submitted in a three-ring binder with  
7 appropriately numbered tabs.

8 Settlement

9 Should this case settle, counsel shall notify Karen Dews at 206-370-8830 as soon  
10 as possible.

11 Dated this 30th day of August, 2018.

12  
13 William M. McCool  
14 Clerk

15 s/Karen Dews  
16 Deputy Clerk  
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